

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DIGITAL VERIFICATION SYSTEMS, LLC,	§ § § § § § § § § § §	Civil Action No. <u>2:22-cv-749</u>
Plaintiff,		
		PATENT CASE
vs.		JURY TRIAL DEMANDED
DOCSCORP, LLC,		
Defendant.		

COMPLAINT

Plaintiff Digital Verification Systems, LLC (“Plaintiff” and/or “DVS”) files this Complaint against DocsCorp, LLC (“Defendant” and/or “DocsCorp”) for infringement of United States Patent No. 9,054,860 (hereinafter “the ‘860 Patent”).

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with an address of 1 East Broward Boulevard, Suite 700, Fort Lauderdale, FL 33301.

4. On information and belief, Defendant is a Delaware limited liability company corporation with its principal office located at 6200 Brooktree Road, Suite 222 Wexford, PA 15090. On information and belief, Defendant may be served through its agent, Corporation Trust

Company, at Corporation Trust Center 1209 Orange St., New Castle, DE 19801.

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 9,054,860)**

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10. Plaintiff is the owner by assignment of the '860 Patent with sole rights to enforce the '860 Patent and sue infringers.

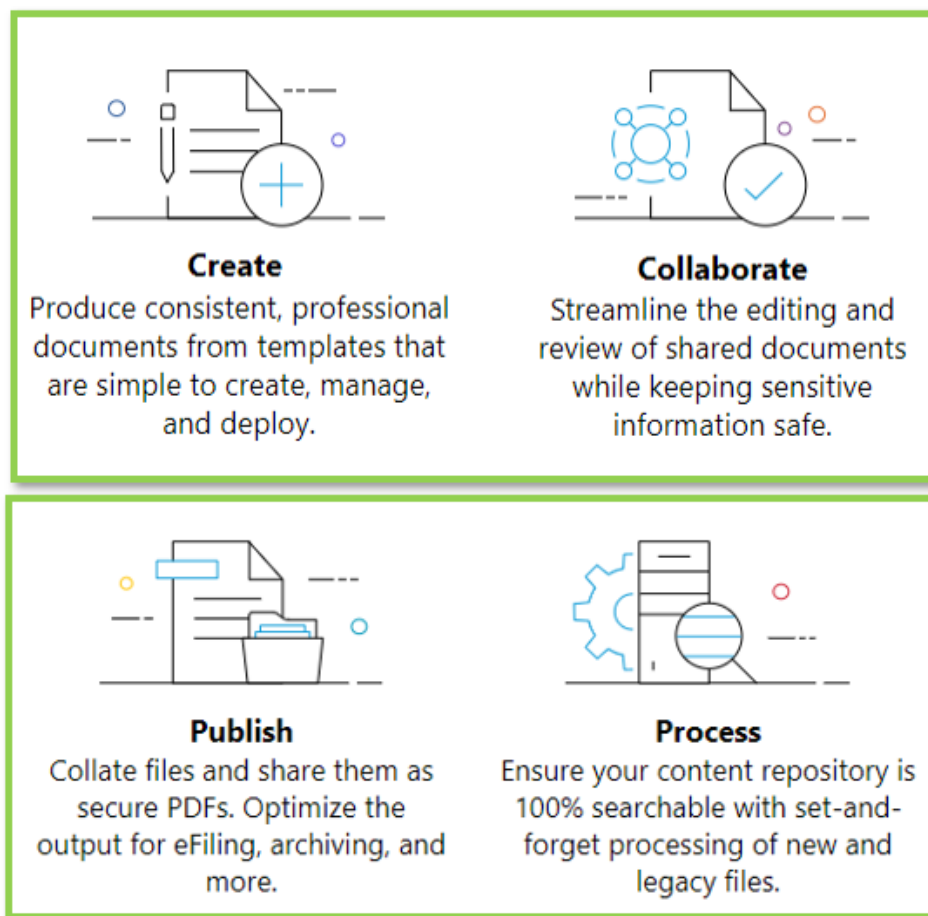
11. A copy of the '860 Patent, titled "Digital Verified Identification System and Method," is attached hereto as Exhibit A.

12. The '860 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Upon information and belief, Defendant has infringed and continues to infringe one

or more claims, including at least Claim 1, of the ‘860 Patent by making, using (at least by having its employees, or someone under Defendant’s control, test the accused Product), importing, selling, and/or offering for sale associated hardware and/or software for digital signature services (e.g., DocsCorp e-sign service), and any similar products and/or services (“Product”) covered by at least Claim 1 of the ‘860 Patent. Defendant has infringed and continues to infringe the ‘860 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

14. The Product provides a system for e-signatures. The Product provides for digitally verifying the identification of a sender. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



Source: <https://www.docscorp.com/>

Sign using a Digital Signature field

You can create and sign a Digital Signature field in one step when you're working with PDFs in Single Document Mode. Add a certificate from a central store, or upload it as a file. Choose what additional information you want to display in your Digital Signature field from options including date, labels, location, logo, and name. Then, press Apply and resave your PDF to finalize the process.

Source: <https://www.docscorp.com/about/watch-our-story/how-to-add-digital-signature-to-pdf-with-pdfDocs/>

Electronic signatures offer a smarter way of working – one that is faster and doesn't waste paper. It's especially convenient for remote workers, who may not have easy access to a printer or scanner.

There are two ways to add an electronic signature to your PDFs inside pdfDocs – uploading your signature as a file and stamping it on the page, or creating and inserting a digital signature certificate.

Source: <https://www.docscorp.com/news/document-software-blogs/how-to-add-an-electronic-signature-to-pdf-pdfDocs/>

15. The Product includes at least one digital identification module structured to be associated with at least one entity. For example, the Product provides a module (e.g., e-signature creation module) to be associated with at least one entity (i.e., a user who needs to use a digital signature). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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16. The Product includes a module generating assembly structured to receive at least one verification data element corresponding to the at least one (e.g., a user has a unique login ID and password for accessing and verifying the account for e-signing documents) and create said at least one digital identification module (e.g., creating an e-signature of a user). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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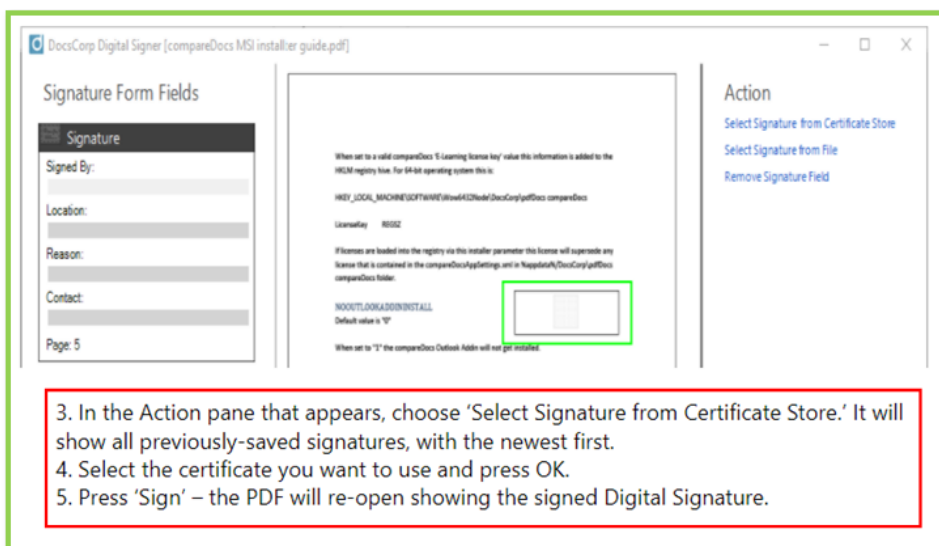
There are two ways to add an electronic signature to your PDFs inside pdfDocs – uploading your signature as a file and stamping it on the page, or creating and inserting a digital signature certificate.

Some documents or electronic signature processes will require the use of a Self-Signed Certificate, generally used for encrypting your file system in Windows. These can be created in the Windows Control Panel on your user account, added to pdfDocs from a central store, or uploaded as a file.

How to add and sign with an electronic signature:

1. Select the Digital Signatures icon within the Protect ribbon and choose 'Add and Sign Digital Signature.'
2. Draw a placeholder box on the page where you want to sign.

Source: <https://www.docscorp.com/news/document-software-blogs/how-to-add-an-electronic-signature-to-pdf-pdfs/>



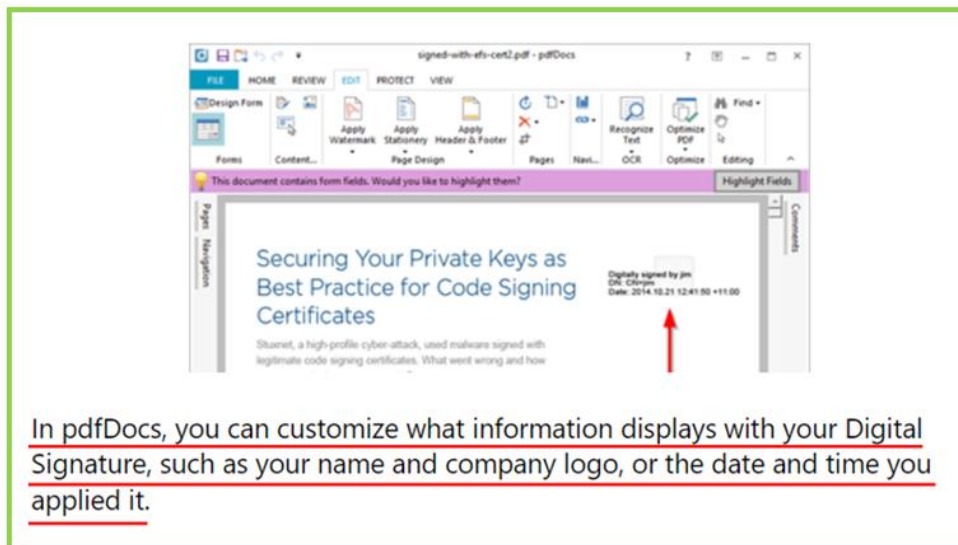
Source: <https://www.docscorp.com/news/document-software-blogs/how-to-add-an-electronic-signature-to-pdf-pdfs/>

17. The at least one digital identification module is disposable within at least one electronic file. For example, the user can store the e-signature within a document or including PDF, WORD DOC, IMAGES, etc. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



Source: <https://www.docscorp.com/news/document-software-blogs/how-to-add-an-electronic-signature-to-pdf-pdfDocs/>

18. The at least one digital identification module includes at least one primary component structured (e.g., an e-signature of a user is associated with information including username, etc.) to at least partially associate the digital identification module with the at least one entity (e.g., an e-signature is associated with a user, who has to sign digitally). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



Source: <https://www.docscorp.com/news/document-software-blogs/how-to-add-an-electronic-signature-to-pdf-pdfDocs/>

19. The at least one digital identification module is cooperatively structured to be embedded within only a single electronic file (e.g., an e-signature is stored within a document-including PDF, WORD DOC, IMAGES, etc.). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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20. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

21. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

22. Plaintiff is in compliance with 35 U.S.C. § 287.

JURY DEMAND

23. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

- (a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;
- (b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,054,860 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);
- (c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;
- (d) Award Plaintiff pre-judgment and post-judgment interest and costs; and
- (e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: May 19, 2022.

Respectfully submitted,

/s/ Daniel Falcucci

Daniel Falcucci

PA Bar No. 373027

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